

FILED
FIFTH JUDICIAL DISTRICT COURT

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WASHINGTON COUNTY

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IN THE FIFTH JUDICIAL DISTRICT COURT

IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

STATE OF UTAH, Plaintiff, v. ALLEN GLADE STEED, Defendant.	FIRST SUPPLEMENTAL REQUEST FOR DISCOVERY Case No. 071501596 (Judge G. Rand Beacham)
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Pursuant to the provisions of Rule 16, U.R.Cr.P., and the Due Process Clauses of the Fifth and Fourteenth Amendment of the United States Constitution and Article I, Section 7 of the Utah Constitution, as well as *Giglio v. United States*, 405 U.S. 150 (1972); *Brady v. Maryland*, 373 U.S. 83 (1963) and *State v. Knight*, 743 P.2d 913 (Utah 1987), the defendant, by his attorneys, submits this first supplemental discovery request. Pursuant to *State v. Shabata*, 768

P.2d 765 (Utah 1984), all requests for discovery made below are specifically addressed to the police/prosecution/investigation team ("Prosecution Team").

Each request for information from the Prosecution Team is specifically addressed to all members of the Prosecution Team, and the **State has an affirmative duty to obtain any requested information which is not currently in their possession.**

In this case the Prosecution Team includes, but is not limited to, any member of the Washington County Sheriff's Office, the Washington County Attorney's office, the Hildale Marshal's office, the Colorado City Sheriff's office, the Utah Attorney General's office, the Mohave County Sheriff's office, the Mohave County Attorney's office, the United States Attorney's office and the Federal Bureau of Investigation, as well as any prosecutor handling the case. In addition, insofar as investigation has been conducted by private parties working for or in conjunction with any government entity, that information is likewise covered by this request. *United States v. Henry*, 474 U.S. 264 (1964). The defendant specifically requests the State to make available or to provide the following:

1. Any information that may have a tendency to exculpate the defendant or mitigate his role in this offense, including information that inculcates another.
2. Contemporaneous writings of any nature, including "field notes" created by persons in regards to or that relate in any way to the investigation and/or prosecution of Warren Steed Jeffs and/or Allen Steed.
3. Copies of all records, including police reports, interview summaries, audio and/or video recordings of witness interviews, correspondence prepared by, or in the files of the

Washington County Sheriff's office, its investigators and/or representatives, that were obtained or created in regards to or relate in any way to the investigation and/or prosecution of any witness to this case or to Warren Jeffs and/or Allen Steed in this or any other case. This includes all reports generated which relate in any manner to the investigation of Warren Jeffs or Allen Steed, including, without limitation, a complete printout of all reports in Case Nos. WC86391, WC78754, 07W000613, 050800235, or any other case number which is related to this case.

4. Copies of all records, including police reports, interview summaries, audio and/or video recordings of witness interviews, correspondence prepared by, or in the files of the Utah Attorney General's office, its investigators and/or representatives, that were obtained or created in regards to or relate in any way to the investigation and/or prosecution of Warren Jeffs and/or Allen Steed. This includes all information or records generated by, or which are in the files of Ron Barton, Jim Hill or any other representative.

5. Copies of all records, including police reports, interview summaries, audio and/or video recordings of witness interviews, correspondence prepared by, or in the files of Mohave County Attorney's office, its investigators and/or representatives, that relate in any way to the investigation and/or prosecution of Warren Jeffs and/or Allen Steed. This includes all information or records generated by or which are in the files of Gary Engels or Kim Nuttall.

6. Copies of all records, including police reports, interview summaries, audio and/or video recordings of witness interviews, correspondence prepared by, or in the files of Mohave County Sheriff's office, its investigators and/or representatives, that relate in any way to the investigation and/or prosecution of Warren Jeffs and/or Allen Steed.

7. Copies of all records, including 302's, reflecting witness interviews, documents of any nature which are possessed by or prepared by the Federal Bureau of Investigation, its investigators and/or representatives that relate in any way to the investigation and/or prosecution of Warren Jeffs and/or Allen Steed.

8. All records, including, without limitation, correspondence of any nature, including, but not limited to, e-mails, letters or notes between the State of Utah¹ and any of the following entities which address in some manner, or is related in some way to, the investigation and/or prosecution of Warren Jeffs or Allen Steed. This includes both documents either generated or received by the State of Utah from any one of the following:

- a. the law firm or any member or employee of the law firm of Hoole & Hoole or any predecessors or successors of that law firm;
- b. the law firm or any member or employee of the law firm of Joanne Suder and the Suder Law Office or any predecessors or successors of that law firm;
- c. The UEP Trust and/or Bruce Wisan, as Trustee, or any employee of those individuals or entities;
- d. The Diversity Foundation or any related entity or any employee or representative of those entities;

¹For purposes of this request, the State of Utah includes any person or entity that would be included within the concept of the Prosecution Team as outlined in *State v. Shabata* and includes, but is not limited to, the Utah Attorney General's office, the Washington County Attorney's office, the Washington County Sheriff's office, the Arizona Attorney General's office, the Mohave County Sheriff's office, the Colorado City Sheriff's office, the Hildale Marshal's office, the Office of Crime Victims Reparations.

e. Sam Brower;

f. Ultradent Corporation and/or Dan Fisher or any employee of these or related entities, including, but not limited to, Shim Fisher Deloy Bateman, Andrew Chatwin, or Issac Wyler.

9. Any and all records evidencing an application to the State of Utah Victims Reparation Fund by any person related in some manner to this case, including, but not limited to, Elissa Wall, Israel Lamont Barlow, Rebecca Musser, or Theresa Blackmore.

10. Any and all records evidencing the payment by or the denial of a payment request by the State of Utah Victims Reparation Fund in regards to any person related in some manner to this case, including, but not limited to, Elissa Wall, Israel Lamont Barlow, Rebecca Musser, or Theresa Blackmore.

11. Information from any source known to the State indicating that a potential witness to these proceedings has obtained or requested or will in the future obtain or request monetary compensation from any source which is the result of or is factually related to the providing of information related to the events of this case, including, but not limited to, the following:

- a. A lawsuit, claim or other request for compensation for damages;
- b. A contract or other agreement to provide information related to the events associated with this matter, including book deals or appearance fees;
- c. The hiring of an agent;

12. Identify all evidence the State intends to introduce at either the time of preliminary hearing or the time of trial pursuant to Rule 404(b) of the Utah Rules of Evidence.


13. The complete criminal records, including juvenile records, of any potential witness the State intends to call at either the preliminary hearing or the trial in this matter, including, but not limited to, the following:

- a. Elissa Wall;
- b. Israel Lamont Barlow;
- c. Rebecca Musser;
- d. Theresa Blackmore;
- e. David Wall;
- f. Kyle Wall;
- g. James Wall;
- h. Jared Wall;
- i. Thomas Wall; or
- j. Todd Wall.

14. Any information known to the State that a potential witness to these proceedings has provided false information.

15. A notarized medical release of information form signed by Elissa Wall authorizing the defendant to obtain medical records, charts and history.

DATED this 15 day of November 2007.



MARK R. MOFFAT
Attorney for Allen Steed

MAILING CERTIFICATE

I hereby certify that a true and correct copy of the foregoing First Supplemental Request for Discovery was mailed, postage prepaid, to Brian G. Filter, Deputy Washington County Attorney, 178 North 200 East, St. George, Utah 84770, on this 15 day of November 2007.

h. Carter

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